

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

**REPLY IN SUPPORT OF MOTION FOR EXTENSION OF DEADLINE TO
FILE RESPONSE TO DEFENDANT PPFA’S MOTION TO STAY AND
MOTION FOR EXPEDITED CONSIDERATION**

Plaintiffs respectfully move this Court for an extension of time to file a response to PPFA's motion to stay (Dkt. 569) until December 18, 2023. Plaintiffs also respectfully move for expedited consideration of this motion in light of the impending deadline of December 11.

Defendants oppose this mere week extension, which would simply permit the time allotted under the Local Rules for Plaintiffs to file a response. In its opposition, PPFA disingenuously overlooks the principal reason Plaintiffs request this modest extension—the expert objection deadline on December 8, which is good cause for the extension. Defendants claim urgency now but waited five weeks to file their motions after the summary judgment ruling was issued. PPFA's numerous attorneys required all this time to file their stay motion, yet they now demand an expedited response on the cusp of the *Daubert* deadline, which would give Plaintiffs only a weekend to file a response to the motion to stay for no apparent reason. Defendants' lengthy delay should not prejudice Plaintiffs' ability to provide helpful briefing to the Court for both the expert objections and the motions to stay.

As Plaintiffs pointed out, the next trial-related deadline (other than *Daubert* motions) isn't until February 12. If Defendants feel that deadline is coming too quickly, they should have filed their motions to stay earlier. Additionally, PPFA's assertion that that the Court's supposed lack of jurisdiction demands urgency is absurd. The Court *does not* lack jurisdiction because of PPFA's frivolous (and desperate) interlocutory appeal—but even if it did, it certainly has jurisdiction to decide the motions to stay that Defendants filed.

CONCLUSION

For the reasons stated above and in Plaintiffs' Motion, Plaintiffs respectfully request that the deadline for response to PPFA's motion to stay be extended until December 18, 2023, and Plaintiffs should not have to respond before that date to the Affiliates' motion to stay. Plaintiffs also respectfully request expedited consideration of the motion giving the approaching deadlines discussed above.

Respectfully submitted.

/s/ Heather Gebelin Hacker

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CERTIFICATE OF SERVICE

I hereby certify that on November 30, 2023, I electronically filed the foregoing document through the Court's ECF system, which automatically notifies counsel of record for each party.

/s/ Heather Gebelin Hacker
Heather Gebelin Hacker